



Intellectual Property Law, Litigation, and Appeals

FILED VIA ECF

September 28, 2021

The Honorable Laura Taylor Swain
Chief United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: *United States v. Michael Colello and Charles Sayegh*, 20 CR 613 (LTS)
Letter Motion to Reschedule

Dear Judge Swain,

On behalf of the parties, who have consented to this motion, we respectfully request an adjournment of the telephone conference scheduled for September 30, 2021, which was then requested to be rescheduled by this Court to October 1 at 11am EST.

Counsel for Michael Colello will be handling oral argument on a dispositive summary judgment motion before Judge Fitzgerald in the Central District of California on October 1, 2021. (*Beatbox Music v. Labrador Entertainment, LLC, et. al*, 17-cv-06108-MWF-JPR (2017)). This case, which involves claims related to the song “Lose Yourself” by Eminem, has been litigated on two continents over the past eight years (first in New Zealand, and now in Los Angeles). I expect the preparation for this argument will be significant. This adjournment will allow me to prepare for that hearing.

After the parties conferred, these times and dates are available by all counsel:

Week of October 4, 2021

Monday (10/4): All times after 1pm

Tuesday (10/5): Not Available

Wednesday (10/6): All times except 12:00-1:00pm

Thursday (10/7): All times prior to 1:00pm

Friday (10/8): Not Available

Week of October 11, 2021

Monday (10/11): All times

Tuesday (10/12): All times except 9:00am-11:30am

Wednesday (10/13): All times except 10:30am-11:30am

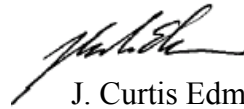
Thursday (10/14): All times

Friday (10/15): All times

Entire Week of October 18 – Msrs. Miedel and Wright are in trial.

With the consent of the parties and including the Government, we also respectfully request that the Court exclude time under the Speedy Trial Act from today, September 28, 2021, through the date of any granted adjournment of the telephone conference pursuant to 18 U.S.C. § 3161(h)(7) on the basis that the interests of the defendants and the public in a speedy trial are outweighed here by the ends of justice served by allowing the defendants to appear together before the Court and in the interim to continue reviewing discovery and considering the availability of any pretrial motions and the possibility of any pretrial dispositions.

Respectfully Submitted,



J. Curtis Edmondson
Counsel for Defendant Michael Colello

The foregoing adjournment request is granted. The pre-trial conference in this matter is hereby rescheduled for October 13, 2021 at 2:00 pm. For the reasons discussed above, the Court finds that pursuant to 18 USC section 3161(h)(7)(A) that the ends of justice served by an exclusion of the time from today's date through October 13, 2021, outweigh the best interests of the public and the defendant in a speedy trial. Docket entry no. 32 is resolved.

SO ORDERED.

9/30/2021

/s/ Laura Taylor Swain, Chief U.S.D.J.